

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

GILBERT MITCHELL, *et al.*

Plaintiffs,

APARTMENT INVESTMENT AND
MANAGEMENT COMPANY, AIMCO
PROPERTIES, L.P., NHP MANAGEMENT
COMPANY AND AIMCO/BETHESDA
HOLDINGS, INC.

Defendants.

Civil Action No. 2:07-CV-02915-JS

MOTION TO APPROVE SETTLEMENT

As set forth more fully in the Memorandum In Support of Motion to Approve Settlement, the parties jointly move this Court to approve the proposed settlement agreement. The parties have negotiated on an arms' length basis a compromise of their dispute that all parties agree is fair, adequate and reasonable, and the Plaintiffs have agreed to settle their claims under the proposed settlement terms.

Accordingly, the parties respectfully request this Court issue an order approving the proposed settlement agreement

Dated: October 31, 2008

By: /s/ Kimberly J. Gost

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 31st day of October, 2008, I caused a true and accurate copy of the Motion to Approve Settlement to be served via the electronic filing system delivery upon:

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